

EXHIBIT A

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<u>AGREED TERMS</u>			
Claim Term	Plaintiff's Proposed Construction	Defendant's Proposed Construction	Court's Construction
"the pumping mechanism is associated with the rigid nipple receiving portion" ('816 Patent, claim 1)	[AGREED]	[AGREED]	Plain and ordinary meaning
"the non-contact pressure sensor adjacent the nipple receiving portion" ('619 Patent, claim 1)	[AGREED]	[AGREED]	Plain and ordinary meaning
"the wireless transmitter transmits pumped milk volume to the external device which displays the pumped milk volume of each breast" ('005 Patent, claim 1)	[AGREED]	[AGREED]	"the wireless transmitter transmits pumped milk volume to the external device which displays the pumped milk volume of each breast"
"the milk collection container is configured about the pump mechanism" ('229 Patent, claim 5)	[AGREED]	[AGREED]	Plain and ordinary meaning
"the milk collection container is configured adjacent the pump mechanism" ('229 Patent, claim 9)	[AGREED]	[AGREED]	Plain and ordinary meaning

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<u>DISPUTED TERMS</u>			
Claim Term	Plaintiff's Proposed Construction	Defendant's Proposed Construction	Court's Construction
<p>1. “a pump mechanism” (’229 Patent, claim 1; ’005 Patent, claim 1)</p> <p>“a pumping mechanism” (’816 Patent, claim 1; ’624 Patent, claim 1)</p> <p>“a vacuum pumping mechanism” (’619 Patent, claim 1)</p>	<p>Not governed by 35 U.S.C. § 112(f); no construction necessary / plain and ordinary meaning</p> <p>Alternatively: Function: “pumping” / “vacuum pumping” / “pump”</p> <p>Structure: “one or more pumps,” or equivalents thereof.</p>	<p>Means-plus-function</p> <p>Function: “creating a suction force to pump milk”</p> <p>Structure: “actuators and a compressible tube that direct milk generally upward and away from the lower end of the flange when the breast pump is upright”</p>	
<p>2. “the suction force and the milk flow path both being directed generally upward relative to the bottom portion of the flange” (’816 Patent, claim 1)</p> <p>“milk is pumped from the breast to the collection container upwardly through the milk flow path relative to a bottom of the breast contacting structure” (’228 Patent, claim 11)</p>	<p>Plain and ordinary meaning</p>	<p>“the suction force and the milk flow path both being directed generally upward and away from the lower end of the flange when upright”</p> <p>Alternatively, indefinite.</p>	

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3.	“contained within” (’228 Patent, claim 11; ’229 Patent, claim 1; ’624 Patent, claim 1; ’619 Patent, claim 1) “contained completely within” (’816 Patent, claim 1)	Plain and ordinary meaning	“fully enclosed within”	
4.	“pump mechanism comprises two drivers that displace a flexible member to generate vacuum pressure” (’005 Patent, claim 1)	Plain and ordinary meaning	“pump mechanism comprises two drivers that displace a compressible tube to generate vacuum pressure”	
5.	“the breast pump automatically senses letdown” (’005 Patent, claim 2)	Plain and ordinary meaning	“the breast pump senses letdown via actuators and a compressible tube”	
6.	“chassis” (’005 Patent, claim 1)	Plain and ordinary meaning	“a component on which other parts are assembled, exclusive of the case or exterior of the device”	
7.	“a latch suction is maintained throughout the pumping session” (’229 Patent, claim 1)	Plain and ordinary meaning	“suction is more than zero during the entire pumping session”	
8.	“The ornamental design for a breast pump, as shown and described.”	Plain and ordinary meaning	Indefinite.	

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Claim Term		Plaintiff’s Proposed Construction	Defendant’s Proposed Construction	Court’s Construction
	(’D995 Patent, claim 1)	Alternatively, “a breast pump of a certain design as shown in Figures 1-7.”	Alternatively, the ornamental design for a breast pump including: a uniform and smooth front surface (see Figs. 1-6) that, when viewed from the left or right side (see Figs. 3 & 4), has a flat upper area and a rounded bottom area to fit comfortably into a bra and to mimic the natural shape of a breast; when viewed from the front (see Figs. 6, 7), has an oval shape to fit comfortably into a bra and to mimic the natural shape of a breast; and a flat rear surface when viewed from the top, bottom, right, and left (see Figs. 2-5).	
9.	“The ornamental design for a breast pump, as shown and described.”	Plain and ordinary meaning	The ornamental design for a breast pump, including:	

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	(’D625 Patent, claim 1)	Alternatively, “a breast pump of a certain design as shown in Figures 1-7.”	a uniform and smooth front surface (see Figs. 1-6) that, when viewed from the left or right side (see Figs. 3 & 4), has a flat upper area and a rounded bottom area to fit comfortably into a bra and to mimic the natural shape of a breast; and when viewed from the front (see Figs. 6, 7), has an oval shape to fit comfortably into a bra and to mimic the natural shape of a breast.	
10.	“a location of the centre of gravity of the breast pump device is, when in use, below a centre of the nipple tunnel when the milk container is empty” (’151 Patent, claim 1)	Indefinite	Plain and ordinary meaning	
11.	“single continuous surface” (’151 Patent, claim 22)	Indefinite	Plain and ordinary meaning	